



"Healthy environment, healthy people"

**Montana Department of
ENVIRONMENTAL QUALITY**

Steve Bullock, Governor
Tracy Stone-Manning, Director

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March 20, 2013

Ms. Rebecca Thomas
U.S. Environmental Protection Agency, Region 8
1595 Wynkoop Street (Mail Code: 8EPR-SR)
Denver, CO 80202-1129

Dear Rebecca,

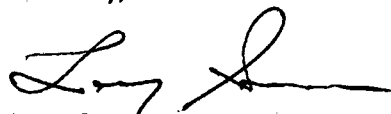
EPA has previously requested that the Montana Department of Environmental Quality (DEQ) provide comments on EPA's proposed Operation and Maintenance (O&M) plans for OU1 and OU2. As DEQ has revised these documents and discussed them with EPA, it has become clear that these O&M Plans are premature and even if DEQ provides comments now, these documents will need to be revised in the future.

Accordingly, DEQ has determined that it will not comment on or agree to any O&M Plans at this time. Instead, DEQ will wait until the final toxicity values are available, the site-wide risk assessment is completed to DEQ's satisfaction, any necessary post-risk assessment changes are made to the Record of Decision (ROD), and any changes to the final remedy are completed.

The completion of each of the above items has an impact on the O&M that will be necessary at OU1 and OU2 and it is not a good use of DEQ resources to finalize the O&M Plans twice. DEQ and EPA will need to agree on the final O&M Plans prior to DEQ and EPA negotiating the State Superfund Contract for OU1 and OU2 (as well as the rest of the Libby Asbestos Site).

Please let me know if you have any questions.

Sincerely,


Larry Scusa

cc: Katherine Haque-Hausrath, DEQ Legal
Carolyn Rutland, DEQ
John Podolinsky, DEQ